

Registration

08:45 - 09:15

Chairwoman's Introduction

09:15 - 09:30

Participants

Barrister, XXIV Old Buildings: Elspeth Talbot - Rice QC
- Barrister, XXIV Old Buildings

Keynote: Liability of Third Parties Involved in Breaches of Trust or Other Fiduciary Duties'

09:30 - 10:15

- Beneficial recipients of trust property as donees or purchasers inside or outside a conveyancing context – 'notice' and 'knowledge' and their significance – 'dishonest' assisters in breaches.

Participants

The Honourable Justice David Hayton, The Caribbean Court of Justice

Flexible Friend or Frankenstein's Monster? Whither Trusts?

10:15 - 11:00

- Y and Z Trusts (Jersey decision varying trusts contrary to Settlor's express wishes)
- S.47 applications in Bermuda
- Jersey's extension of variation jurisdiction
- Are these inroads riding rough shod over the settlor's purpose in settling the trust in the first place?
- Is that right?

Participants

Lewis Baglietto QC - Barrister, Hassans

Andrew Holden - Barrister, XXIV Old Buildings

Keith Robinson - Partner, Carey Olsen

Morning Refreshment Break

11:00 - 11:30

Limitation of Trustees' Liability

11:30 - 12:00

- What has changed?
- How to go about this
- What do I need to be aware of?

Participants

Jeremy Wessels - Partner, Mourant Ozannes

Lorraine Jeffrey - Senior Associate, Bircham Dyson Bell

Trustees' Right of Retention: How Far Does it Stretch?

12:00 - 12:30

- What does this encompass?
- How far does it stretch?
- the penalties to be aware of

Participants

Dr Anthony Cremona - Partner, Ganado Advocates

Emma Jordan - Partner, Taylor Wessing

Pugachev: Death Knell of Settlor Control or Business as Usual?

12:30 - 13:00

Pugachev decision and sham:

- The test for sham - particularly in relation to trustees 'shamming' intention.
- Reckless indifference extended from rainy day trust left in bottom of drawer to trust that was acted upon - where trustee had no intention independent of settlor
- Protectors powers and the Angoran cat.
- The interaction between alternative bases of the judgment
- Getting the evidence - normally difficult to prove trustees' subjective intention - how was it done in this case?
- Wider ramifications - an earthquake or will it be remembered in same way as Rahman decision in Jersey?

Participants

Toby Graham - Partner, Farrer & Co

Christopher Lloyd - Barrister, Erskine Chambers

Lunch

13:00 - 14:15

Spilled Blood: How to Prevent or Stop Haemorrhaging Costs

14:15 - 14:50

- Costs, costs and more costs

Participants

Stella Mitchell-Voisin - Managing Director, Summit Trust International SA

Duncan Elson - Partner, Charles Russell Speechlys

Feuding Families, the Film Star and the Princess: Lessons from Crociani

14:50 - 15:30

- An examination of the perils of controlling settlors and the huge risks for trustees in making invalid distributions.
- Set against the backdrop of one of the most glamorous cases to come before the courts in the Channel Islands with a cast including a film star and a princess, featuring exotic locations from Mauritius and Monaco to Manhattan.

Participants

Alasdair Davidson - Partner, Bedell Cristin

Afternoon Refreshment Break

15:30 - 16:00

Tax for Litigators: Top Tips from the Top

16:00 - 16:40

- What do I need to be aware of?
- Tax, the issues

Participants

Gemma Willingham - Senior Associate, Baker & McKenzie

Phyllis Townsend - Senior Associate, Baker & McKenzie

Tomorrow's Communication Skills

16:40 - 17:30

Participants

Joe Donohoe - Director, Asset Risk Consultants

Tom Stewart-Coats - Barrister, XXIV Old Buildings

Alina Gerasimenko - Barrister, XXIV Old Buildings

Chairwoman's Summation

17:30 - 17:40

Participants

Elsbeth Talbot - Rice QC - Barrister, XXIV Old Buildings

SCHEDULE

2018 TRANS TRUSTS LITIGATION SUMMIT - 17/04/2018

Transcontinental Trusts: Geneva Forum 2018

17 - 19 April 2018
Grand Kempinski Hotel
Geneva

TIME	
08:00	08:45 - Registration
09:00	09:15 - Chairwoman's Introduction 09:30 - Keynote: Liability of Third Parties Involved in Breaches of Trust or Other Fiduciary Duties'
10:00	10:15 - Flexible Friend or Frankenstein's Monster? Whither Trusts?
11:00	11:00 - Morning Refreshment Break 11:30 - Limitation of Trustees' Liability
12:00	12:00 - Trustees' Right of Retention: How Far Does it Stretch? 12:30 - Pugachev: Death Knell of Settlor Control or Business as Usual?
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14:00	14:15 - Spilled Blood: How to Prevent or Stop Haemorrhaging Costs 14:50 - Feuding Families, the Film Star and the Princess: Lessons from Crociani
15:00	15:30 - Afternoon Refreshment Break
16:00	16:00 - Tax for Litigators: Top Tips from the Top 16:40 - Tomorrow's Communication Skills
17:00	17:30 - Chairwoman's Summation

SESSIONS

2018 TRANS TRUSTS MAIN CONFERENCE, DAY 1 - THE BIG PICTURE & TAX - 18/04/2018

Transcontinental Trusts: Geneva
Forum 2018

17 - 19 April 2018
Grand Kempinski Hotel
Geneva

Registration

09:00 - 09:30

Chairs' & Advisory Board's Opening Remarks

09:30 - 09:40

Participants

Filippo Nosedà - Partner, Mishcon de Reya

Arabella Murphy - Partner, Maurice Turnor Gardner

Stella Mitchell-Voisin - Managing Director, Summit Trust International SA

Edward Buckland - Trust Director, LGL Trustees

Keynote: Live Interview on Cyber Security Issues

09:40 - 10:30

Participants

Michael McKay - Founder, McKay's Consulting

David Worlock - Chief Research Fellow, Outsell Inc

The Hayton Trust Law Overview

10:30 - 11:10

- Equitable accounting for debt or compensation for losses
- Change of governing law and status of illegitimate, legitimated, adopted children as beneficiaries
- Mutual wills
- Illegal transactions and resulting trusts: rejection of Tinsley v Milligan approach

Participants

The Honourable Justice David Hayton, The Caribbean Court of Justice

Morning Refreshment Break

11:10 - 11:30

Saudi Arabian & Middle Eastern Clients in General: The Fear Factors to Look Out For?

11:30 - 12:10

Participants

Moderator: Arabella Murphy - Partner, Maurice Turnor Gardner

Piers Master - Partner, Charles Russell Speechlys

Marianne Kafena - Partner, Farrer & Co

I'm Middle Eastern: Get Me Out of Here! Where Do I Go? (Italy, US, UK & Switzerland)

12:10 - 12:50

- Italy
- US
- UK
- Switzerland

Participants

Marco Cerrato - Partner, Maisto e Associati

Suzanne Reisman - Founder, Law Offices of Suzanne M Reisman

Russell Cohen - Partner, Farrer & Co

Philippe Pulfer - Partner, Walder Wyss

Lunch

12:50 - 13:50

Challenges Faced by Trustees in 2018: The Increasing Complexity of Tax Compliance, Reporting & Data Protection

13:50 - 14:40

- What has changed?
- What are the issues?
- Advantages and Disadvantages

Participants

Miguel Good - Head of Wealth Planning for EMEA, Rothschild Private Wealth

Lisa Springate - Head of Technical, Jersey Finance

Dr Johannes Gasser - Senior Partner, Gasser Partner

Part 1 Cradle & the Grave: The Issues for Minors that are Never Discussed

14:40 - 15:20

- The Issue of Capacity
- How do we go about successfully protecting children?
- Should we make sure they do not inherit much at an early age?
- Moral vs Financial Interest?

Participants

Pieter van Onzenoort - Counsel, Civil Law Notary, Loyens & Loeff

Federico Tassinari - Notary, Tassinari & Damascelli Studio Notarile

Afternoon Refreshment Break

15:20 - 15:40

Voluntary Disclosures: Are They Working?

15:40 - 16:20

Participants

Peter Wong - Partner, Borden Ladner Gervais

Ray McCann - Partner, Joseph Hage Aaronson

Income and Wealth Inequality and the Responsibility of Trust and Tax Advisors to Help Shape our Future

16:20 - 17:00

- How the wealth management industry contributed to the world's growing crisis of inequality and unfairness, and to rising populist governments
- What are the challenges and risks ahead for wealth owning families and their advisors?
- What role should trust and tax advisors take in addressing our collective responsibilities to not only our clients but to the societies in which we live?
- Are the tax systems of today fit for purpose given how wealth owners live and invest?
- Rethinking how tax systems should work, and our role as trust and tax advisors to take leadership
- The need for fairness, simplicity, transparency and protection of the human right to privacy

Participants

Philip Marcovici -, Offices of Philip Marcovici

Chairs' Closing Remarks & End of Day One

17:00 - 17:10

Participants

Arabella Murphy - Partner, Maurice Turnor Gardner

Filippo Nosedà - Partner, Mishcon de Reya

Drinks Reception & BBQ Buffet Dinner with a view of Lake Geneva

17:10 - 18:10

Drinks and a BBQ Buffet Dinner on the Terrace facing Lake Geneva at the Grand Kempinski Hotel.

SCHEDULE

2018 TRANS TRUSTS MAIN CONFERENCE, DAY 1 - THE BIG PICTURE &
TAX - 18/04/2018

Transcontinental Trusts: Geneva
Forum 2018

17 - 19 April 2018
Grand Kempinski Hotel
Geneva

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12:00	12:10 - I'm Middle Eastern: Get Me Out of Here! Where Do I Go? (Italy, US, UK & Switzerland) 12:50 - Lunch
13:00	13:50 - Challenges Faced by Trustees in 2018: The Increasing Complexity of Tax Compliance, Reporting & Data Protection
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SESSIONS

2018 TRANS TRUSTS MAIN CONFERENCE, DAY 2 - PRIVATE CLIENT
TECHNICAL ISSUES UPDATE - 19/04/2018

Transcontinental Trusts:
Geneva Forum 2018

17 - 19 April 2018
Grand Kempinski Hotel
Geneva

Chairs' Opening Remarks

09:30 - 09:40

Participants

Arabella Murphy - Partner, Maurice Turnor Gardner

Filippo Noseda - Partner, Mishcon de Reya

Cyber Security: A Tactic of a Reputation and Privacy Strategy

09:40 - 10:40

In this session Johannes Stillig, Head of Cyber at the law firm Schillings, will demonstrate the link between the theft of your data and the impact this can have on your reputation and privacy.

- How to protect your data courtesy of a credible cyber security plan;
- How to control your online footprint and information about you in the public domain;
- The tricks being deployed by cyber-criminals, including a simulated cyber-attack;
- How to identify the perpetrator(s) of a cyber attack and the legal action you can take.

Participants

Johannes Stillig - Head of Cyber, Schillings

John Chase - Partner, Schillings

Transparency & the Effect on Planning: The New Tricky Jurisdictions

10:40 - 11:10

Are there reasons other than tax avoidance of why people don't want their information disclosed?
Discussed

Participants

Filippo Noseda - Partner, Mishcon de Reya

Nicholas Jacob - Partner, Forsters

Life Insurance and Trusts: The Ideal Combination?

11:10 - 11:50

- How life insurance can be used in conjunction
- The advantages in planning
- The pros and cons

Participants

Riccardo Gambineri - Senior Vice President, Crown Global Insurance

Jeremy Franks - CEO - Private Clients, Knox Private Office

Ceri Vokes - Partner, Withers

Morning Refreshment Break

11:50 - 12:10

Part 2 Cradle & the Grave: Issues for Elders - Have I Heard It All?

12:10 - 12:40

- The issues that are never discussed in detail
- Elder law issues
- Capacity issues
- Planning to avoid litigation

Participants

Julia Abrey - Partner, Withers

Penelope Reed QC - Barrister, 5 Stone Buildings

Crystal Ball Gazing: What does the Future hold for the Trust World?

12:40 - 13:20

- What has changed?
- The investment angle
- How to go about planning effectively

Participants

Joe Donohoe - Director, Asset Risk Consultants

Edward Buckland - Trust Director, LGL Trustees

Chris Casapinta - Country Executive Malta and Italy, Alter Domus & Member of FinanceMalta

Nikki Singla QC - Barrister, Wilberforce Chambers

Divorce the Ultimate Wealth Destroyer: Top Tips for the Wealthy and their Advisers

13:20 - 14:00

- Do pre nups and marriage contracts help?
- Where do family creeds fit in?
- Can careful planning help (and if so, how?)
- How can the way the assets are managed help/damage their preservation for the family?
- Some dos and don'ts of what to do when caught in the middle of a divorce

Participants

Robert Lindley - Counsel, Head of Cayman & BVI Private Client & Trust, Conyers Dill & Pearman

Dawn Goodman - Partner, Withers

Mark Fenton - Partner, Farrer & Co

Lunch

14:00 - 15:00

CRS and the Swiss Bankers Agreement: The Interplay between CRS and CDB

15:00 - 15:35

Room 1

- Form K and trustees' controlling persons
- Beneficiaries and conditions precedent
- Protector's powers
- Active NFE debates
- The TDT mess?

Participants

David Wilson - Partner, Schellenberg Wittmer

Philanthropy

15:00 - 15:35

Room 2

Participants

Suzanne Reisman - Founder, Law Offices of Suzanne M Reisman

Helen Cooper - Director, Conyers Dill & Pearman

LatAM

15:35 - 16:10

Room 1

- Advising Latin American families in a transparent world
- Amnesties, Trusts & Tax Efficient Securities in LatAM
- What Do I Need To Know?

Participants

Pedro Ramirez Mota-Velasco - Partner, Turanzas, Bravo & Ambrosi

Sonia Velasco - Partner, Cuatrecasas Gonçalves Pereira

Business Succession Planning in Asia

15:35 - 16:10

Room 2

- The East Asian market place.
- What are the cultural issues?
- Why is it so difficult to bring families to the table?
- What sort of Family Governance needs are there?
- Are structures set up there effective?
- How is the changing regulatory climate affecting clients' attitudes?

Participants

Nicholas Jacob - Partner, Forsters

Brexit: Has There Been an Increase in Relocation?

16:10 - 16:30

SESSIONS

2018 TRANS TRUSTS MAIN CONFERENCE, DAY 2 - PRIVATE CLIENT
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Geneva Forum 2018

17 - 19 April 2018
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Chairs' Closing Remarks and Close of Conference

16:30 - 16:40

Participants

Filippo Nosedo - Partner, Mishcon de Reya

Arabella Murphy - Partner, Maurice Turnor Gardner

Afternoon Refreshment Break

16:40 - 17:05

SCHEDULE

2018 TRANS TRUSTS MAIN CONFERENCE, DAY 2 - PRIVATE CLIENT
TECHNICAL ISSUES UPDATE - 19/04/2018

Transcontinental Trusts:
Geneva Forum 2018

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13:00	13:20 - Divorce the Ultimate Wealth Destroyer: Top Tips for the Wealthy and their Advisers	13:20 - Divorce the Ultimate Wealth Destroyer: Top Tips for the Wealthy and their Advisers
14:00	14:00 - Lunch	14:00 - Lunch
15:00	15:00 - CRS and the Swiss Bankers Agreement: The Interplay between CRS and CDB 15:35 - LatAM	15:00 - Philanthropy 15:35 - Business Succession Planning in Asia
16:00	16:10 - Brexit: Has There Been an Increase in Relocation? 16:30 - Chairs' Closing Remarks and Close of Conference 16:40 - Afternoon Refreshment Break	16:10 - Brexit: Has There Been an Increase in Relocation? 16:30 - Chairs' Closing Remarks and Close of Conference 16:40 - Afternoon Refreshment Break